

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:) Case No. 4:09CV3020
) BK 06-40253-TLS (Chapter 12)
MARK D. RICKERT and)
JOAN RICKER,) **MEMORANDUM**
) **AND ORDER**
Debtors.)

The appellant, United States of America, has filed a “withdrawal of appeal” ([filing 8](#)), which the court construes as a motion to dismiss, filed pursuant to Rule 8001(c)(2) of the Federal Rules of Bankruptcy Procedure. Upon consideration, the court finds that the motion should be granted and the appeal dismissed without prejudice. Accordingly,

IT IS ORDERED that:

1. The appellant’s motion to dismiss ([filing 8](#)) is granted.
2. A judgment of dismissal without prejudice shall be entered by separate document.

March 3, 2009.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge